

**UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF NEW YORK  
CENTRAL ISLIP DIVISION**

In re: 3801 Broadway Corp. dba Las Margari      §      Case No. 17-71005-REG  
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    §  
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Debtor(s)

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**CHAPTER 7 TRUSTEE'S FINAL ACCOUNT AND DISTRIBUTION  
REPORT CERTIFICATION THAT THE ESTATE HAS BEEN FULLY  
ADMINISTERED AND APPLICATION TO BE DISCHARGED (TDR)**

Andrew M. Thaler, chapter 7 trustee, submits this Final Account, Certification that the Estate has been Fully Administered and Application to be Discharged.

1) All funds on hand have been distributed in accordance with the Trustee's Final Report and, if applicable, any order of the Court modifying the Final Report. The case is fully administered and all assets and funds which have come under the trustee's control in this case have been properly accounted for as provided by law. The trustee hereby requests to be discharged from further duties as a trustee.

2) A summary of assets abandoned, assets exempt, total distributions to claimants, claims discharged without payment, and expenses of administration is provided below:

Assets Abandoned: <u>\$0.00</u> <i>(without deducting any secured claims)</i>	Assets Exempt: <u>N/A</u>
Total Distributions to Claimants: <u>\$10,938.70</u>	Claims Discharged Without Payment: <u>N/A</u>
Total Expenses of Administration: <u>\$9,061.30</u>	

3) Total gross receipts of \$20,000.00 (see **Exhibit 1**), minus funds paid to the debtor and third parties of \$0.00 (see **Exhibit 2**), yielded net receipts of \$20,000.00 from the liquidation of the property of the estate, which was distributed as follows:

	CLAIMS SCHEDULED	CLAIMS ASSERTED	CLAIMS ALLOWED	CLAIMS PAID
SECURED CLAIMS (from <b>Exhibit 3</b> )	\$0.00	\$0.00	\$0.00	\$0.00
PRIORITY CLAIMS: CHAPTER 7 ADMIN. FEES AND CHARGES (from <b>Exhibit 4</b> )	\$0.00	\$3,331.09	\$9,061.30	\$9,061.30
PRIOR CHAPTER ADMIN. FEES AND CHARGES (from <b>Exhibit 5</b> )	\$0.00	\$0.00	\$0.00	\$0.00
PRIORITY UNSECURED CLAIMS (from <b>Exhibit 6</b> )	\$153,102.70	\$256.52	\$256.52	\$256.52
GENERAL UNSECURED CLAIMS (from <b>Exhibit 7</b> )	\$7,276.45	\$101,084.50	\$101,084.50	\$10,682.18
<b>TOTAL DISBURSEMENTS</b>	\$160,379.15	\$104,672.11	\$110,402.32	\$20,000.00

4) This case was originally filed under chapter 7 on 02/06/2017. The case was pending for 16 months.

5) All estate bank statements, deposit slips, and canceled checks have been submitted to the United States Trustee.

6) An individual estate property record and report showing the final accounting of the assets of the estate is attached as **Exhibit 8**. The cash receipts and disbursements records for each estate bank account, showing the final accounting of the receipts and disbursements of estate funds is attached as **Exhibit 9**.

Pursuant to Fed R Bank P 5009, I hereby certify, under penalty of perjury, that the foregoing report is true and correct.

Dated: 06/07/2018

By: /s/ Andrew M. Thaler  
Trustee

**STATEMENT** This Uniform Form is associated with an open bankruptcy case, therefore, Paperwork Reduction Act exemption 5 C.F.R. § 1320.4(a)(2) applies.

**EXHIBITS TO  
FINAL ACCOUNT**

**EXHIBIT 1 – GROSS RECEIPTS**

DESCRIPTION	UNIFORM TRAN. CODE <sup>1</sup>	\$ AMOUNT RECEIVED
Other Inventory or Supplies	1129-000	\$20,000.00
<b>TOTAL GROSS RECEIPTS</b>		<b>\$20,000.00</b>
<sup>1</sup> The Uniform Transaction Code is an accounting code assigned by the trustee for statistical reporting purposes.		

**EXHIBIT 2 – FUNDS PAID TO DEBTOR & THIRD PARTIES**

PAYEE	DESCRIPTION	UNIFORM TRAN. CODE	\$ AMOUNT PAID
	None		

**EXHIBIT 3 - SECURED CLAIMS**

Claim NO.	CLAIMANT	UNIFORM TRAN. CODE	CLAIMS SCHEDULED (from Form 6D)	CLAIMS ASSERTED	CLAIMS ALLOWED	CLAIMS PAID
			None			

**EXHIBIT 4 – CHAPTER 7 ADMINISTRATIVE FEES and CHARGES**

<b>PAYEE</b>	<b>UNIFORM TRAN. CODE</b>	<b>CLAIMS SCHEDULED</b>	<b>CLAIMS ASSERTED</b>	<b>CLAIMS ALLOWED</b>	<b>CLAIMS PAID</b>
Trustee, Fees - ANDREW M. THALER	2100-000	NA	\$2,750.00	\$2,750.00	\$2,750.00
Attorney for Trustee Fees - NEW YORK STATE DEPARTMENT OF	3110-000	NA	\$300.00	\$100.00	\$100.00
Attorney for Trustee Fees - THALER LAW FIRM PLLC	3110-000	NA	\$0.00	\$4,440.00	\$4,440.00
Accountant for Trustee, Fees - GARY R. LAMPERT	3310-000	NA	\$0.00	\$1,435.00	\$1,435.00
Accountant for Trustee, Expenses - GARY R. LAMPERT	3320-000	NA	\$0.00	\$55.21	\$55.21
Bond Payments - BOND	2300-000	NA	\$6.12	\$6.12	\$6.12
Banking and Technology Service Fee - EmpireNationalBank	2600-000	NA	\$162.47	\$162.47	\$162.47
Banking and Technology Service Fee - United Bank	2600-000	NA	\$68.75	\$68.75	\$68.75
Other State or Local Taxes (post-petition) - NYC DEPT OF FINANCE	2820-000	NA	-\$6.25	-\$6.25	-\$6.25
Other State or Local Taxes (post-petition) - NYC Department of Finance	2820-000	NA	\$25.00	\$25.00	\$25.00
Other State or Local Taxes (post-petition) - NYS Corporation Tax	2820-000	NA	\$25.00	\$25.00	\$25.00
<b>TOTAL CHAPTER 7 ADMIN. FEES AND CHARGES</b>		<b>NA</b>	<b>\$3,331.09</b>	<b>\$9,061.30</b>	<b>\$9,061.30</b>

**EXHIBIT 5 – PRIOR CHAPTER ADMINISTRATIVE FEES and CHARGES**

<b>PAYEE</b>	<b>UNIFORM TRAN. CODE</b>	<b>CLAIMS SCHEDULED</b>	<b>CLAIMS ASSERTED</b>	<b>CLAIMS ALLOWED</b>	<b>CLAIMS PAID</b>
None					

**EXHIBIT 6 – PRIORITY UNSECURED CLAIMS**

<b>CLAIM NO.</b>	<b>CLAIMANT</b>	<b>UNIFORM TRAN. CODE</b>	<b>CLAIMS SCHEDULED (from Form 6E)</b>	<b>CLAIMS ASSERTED (from Proofs of Claim)</b>	<b>CLAIMS ALLOWED</b>	<b>CLAIMS PAID</b>
4P	New York State Department of Taxation & Finance Bankruptcy Section	5800-000	NA	\$6.52	\$6.52	\$6.52
5-3	New York State Department of Taxation & Finance Bankruptcy Section	5800-000	NA	\$250.00	\$250.00	\$250.00
N/F	Marshall City City of New York Martin A.Bienstock	5600-000	\$126,747.91	NA	NA	NA
N/F	NYC DEPARTMENT OF FINANCE	5600-000	\$26,354.79	NA	NA	NA
<b>TOTAL PRIORITY UNSECURED CLAIMS</b>			<b>\$153,102.70</b>	<b>\$256.52</b>	<b>\$256.52</b>	<b>\$256.52</b>

**EXHIBIT 7 – GENERAL UNSECURED CLAIMS**

<b>CLAIM NO.</b>	<b>CLAIMANT</b>	<b>UNIFORM TRAN. CODE</b>	<b>CLAIMS SCHEDULED (from Form 6F)</b>	<b>CLAIMS ASSERTED (from Proofs of Claim)</b>	<b>CLAIMS ALLOWED</b>	<b>CLAIMS PAID</b>
1	Southern Glazer's Wine & Spirits	7100-000	\$2,982.38	\$3,054.42	\$3,054.42	\$322.78
2	NYS Dept of Labor State Office Campus	7100-000	NA	\$0.00	\$0.00	\$0.00
3	Pechman Law Group PLLC	7100-000	NA	\$97,940.95	\$97,940.95	\$10,349.98
4U	New York State Department of Taxation & Finance Bankruptcy Section	7100-000	NA	\$89.13	\$89.13	\$9.42
N/F	ACTION, ENVIRONMENTAL SERVICES	7100-000	\$1,829.10	NA	NA	NA
N/F	BONIMEX PRODUCE	7100-000	\$1,148.00	NA	NA	NA
N/F	MONARCH SEEAFOOD, INC	7100-000	\$955.19	NA	NA	NA
N/F	UNIFIRST CORPORATION	7100-000	\$334.80	NA	NA	NA
N/F	WARE WASHING SOLUTIONS, INC	7100-000	\$26.98	NA	NA	NA
<b>TOTAL GENERAL UNSECURED CLAIMS</b>			<b>\$7,276.45</b>	<b>\$101,084.50</b>	<b>\$101,084.50</b>	<b>\$10,682.18</b>

# Form 1

## Individual Estate Property Record and Report

### Asset Cases

Exhibit 8

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**Case No.:** 17-71005-REG**Case Name:** 3801 Broadway Corp. dba Las Margari**Trustee Name:** (522000) Andrew M. Thaler**Date Filed (f) or Converted (c):** 02/06/2017 (f)**§ 341(a) Meeting Date:** 03/29/2017**For Period Ending:** 06/07/2018**Claims Bar Date:** 09/07/2017

1 Asset Description (Scheduled And Unscheduled (u) Property)  Ref. #	2 Petition/ Unscheduled Values	3 Estimated Net Value (Value Determined By Trustee, Less Liens, Exemptions, and Other Costs)	4 Property Formally Abandoned OA=§554(a) abandon.	5 Sale/Funds Received by the Estate	6 Asset Fully Administered (FA)/ Gross Value of Remaining Assets
2 All cash or cash equivalents owned or controlled by the debtor	0.00	0.00		0.00	FA
3 Dishwashing machine Lease	Unknown	0.00		0.00	FA
4 Interest in Insurance policies	Unknown	0.00		0.00	FA
22* Other Inventory or Supplies (See Footnote)	Unknown	20,000.00		20,000.00	FA
<b>4</b> Assets Totals (Excluding unknown values)	<b>\$0.00</b>	<b>\$20,000.00</b>		<b>\$20,000.00</b>	<b>\$0.00</b>

RE PROP# 22 5 Televisions, 38 chairs, 24 tables, 18 bar stools, 3 computers, 16 cameras, 8 burner ranges, 2 salamancas, 5 refrigerators, 2 blenders, 2 margarita machines, 1 ice machine, 1 fryer and 1 grill

**Major Activities Affecting Case Closing:**

TFR to be filed.

**Initial Projected Date Of Final Report (TFR):** 07/31/2018**Current Projected Date Of Final Report (TFR):** 02/12/2018 (Actual)

**Form 2**

Exhibit 9

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**Cash Receipts And Disbursements Record****Case No.:** 17-71005-REG**Trustee Name:**

Andrew M. Thaler (522000)

**Case Name:** 3801 Broadway Corp. dba Las Margari**Bank Name:**

EmpireNationalBank

**Taxpayer ID #:** \*\*-\*\*\*4899**Account #:**

\*\*\*\*\*7775 Checking

**For Period Ending:** 06/07/2018**Blanket Bond (per case limit):** \$44,643,604.00**Separate Bond (if applicable):** N/A

1	2	3	4		5	6	7
Trans. Date	Check or Ref. #	Paid To / Received From	Description of Transaction	Uniform Tran. Code	Deposit \$	Disbursement \$	Account Balance
05/15/17	{22}	Miguel Vidal	Assets of 3801 Broadway Assets listed on Schedule A/B - 5 televisions, 38 chairs, and 5 refrigerators, etc.	1129-000	20,000.00		20,000.00
06/01/17		EmpireNationalBank	Bank Service Fee under 11 U.S.C. § 330(a)(1)(B), 503(b)(1), and 507(a)(2)	2600-000		16.30	19,983.70
07/03/17		EmpireNationalBank	Bank Service Fee under 11 U.S.C. § 330(a)(1)(B), 503(b)(1), and 507(a)(2)	2600-000		28.74	19,954.96
08/01/17		EmpireNationalBank	Bank Service Fee under 11 U.S.C. § 330(a)(1)(B), 503(b)(1), and 507(a)(2)	2600-000		29.66	19,925.30
09/01/17		EmpireNationalBank	Bank Service Fee under 11 U.S.C. § 330(a)(1)(B), 503(b)(1), and 507(a)(2)	2600-000		29.62	19,895.68
10/02/17		EmpireNationalBank	Bank Service Fee under 11 U.S.C. § 330(a)(1)(B), 503(b)(1), and 507(a)(2)	2600-000		28.62	19,867.06
10/18/17	200	NYS Corporation Tax	CT-3S Tax Year 2017 Taxes owed	2820-000		25.00	19,842.06
10/18/17	201	NYC Department of Finance	NYC-200 V 2017 Tax due	2820-000		25.00	19,817.06
11/01/17		EmpireNationalBank	Bank Service Fee under 11 U.S.C. § 330(a)(1)(B), 503(b)(1), and 507(a)(2)	2600-000		29.53	19,787.53
11/20/17		UNITED BANK	WIRE TRANSFER TO FUND NEW BANK ACCOUNT	9999-000		19,787.53	0.00

**COLUMN TOTALS****20,000.00****20,000.00****\$0.00**

Less: Bank Transfers/CDs

0.00

**19,787.53****Subtotal****20,000.00****212.47**

Less: Payments to Debtors

**0.00****NET Receipts / Disbursements****\$20,000.00****\$212.47**



**Form 2**

Exhibit 9

Page: 2

**Cash Receipts And Disbursements Record****Case No.:** 17-71005-REG**Trustee Name:**

Andrew M. Thaler (522000)

**Case Name:** 3801 Broadway Corp. dba Las Margari**Bank Name:**

United Bank

**Taxpayer ID #:** \*\*-\*\*\*4899**Account #:**

\*\*\*\*\*2368 Checking Account

**For Period Ending:** 06/07/2018**Blanket Bond (per case limit):** \$44,643,604.00**Separate Bond (if applicable):** N/A

1	2	3	4		5	6	7
Trans. Date	Check or Ref. #	Paid To / Received From	Description of Transaction	Uniform Tran. Code	Deposit \$	Disbursement \$	Account Balance
11/20/17		EMPIRE NATIONAL BANK	WIRE FROM FORMER BANK	9999-000	19,787.53		19,787.53
11/22/17		NYC DEPT OF FINANCE	Refund of tax Overpayment	2820-000		-6.25	19,793.78
11/30/17		United Bank	Bank and Technology Services Fees	2600-000		10.00	19,783.78
12/28/17	101	International Sureties, LTD	Bond #016027942	2300-000		6.12	19,777.66
12/29/17		United Bank	Bank and Technology Services Fees	2600-000		27.50	19,750.16
01/31/18		United Bank	Bank and Technology Services Fees	2600-000		31.25	19,718.91
04/13/18	102	ANDREW M. THALER	Distribution payment - Dividend paid at 100.00% of \$2,750.00; Claim # FEE; Filed: \$2,750.00	2100-000		2,750.00	16,968.91
04/13/18	103	GARY R. LAMPERT	Distribution payment - Dividend paid at 100.00% of \$1,435.00; Claim # ; Filed: \$0.00	3310-000		1,435.00	15,533.91
04/13/18	104	GARY R. LAMPERT	Distribution payment - Dividend paid at 100.00% of \$55.21; Claim # ; Filed: \$0.00	3320-000		55.21	15,478.70
04/13/18	105	THALER LAW FIRM PLLC	Distribution payment - Dividend paid at 100.00% of \$4,440.00; Claim # ; Filed: \$0.00	3110-000		4,440.00	11,038.70
04/13/18	106	NEW YORK STATE DEPARTMENT OF	Distribution payment - Dividend paid at 100.00% of \$100.00; Claim # ; Filed: \$100.00	3110-000		100.00	10,938.70
04/13/18	107	New York State Department of Taxation & Finance Bankruptcy Section	Distribution payment - Dividend paid at 100.00% of \$6.52; Claim # 4P; Filed: \$6.52	5800-000		6.52	10,932.18
04/13/18	108	New York State Department of Taxation & Finance Bankruptcy Section	Distribution payment - Dividend paid at 100.00% of \$250.00; Claim # 5-3; Filed: \$250.00	5800-000		250.00	10,682.18
04/13/18	109	Southern Glazer's Wine & Spirits	Distribution payment - Dividend paid at 10.57% of \$3,054.42; Claim # 1; Filed: \$3,054.42	7100-000		322.78	10,359.40
04/13/18	110	Pechman Law Group PLLC	Distribution payment - Dividend paid at 10.57% of \$97,940.95; Claim # 3; Filed: \$97,940.95	7100-000		10,349.98	9.42
04/13/18	111	New York State Department of Taxation & Finance Bankruptcy Section	Distribution payment - Dividend paid at 10.57% of \$89.13; Claim # 4U; Filed: \$89.13	7100-000		9.42	0.00

**COLUMN TOTALS****19,787.53****19,787.53****\$0.00**

Less: Bank Transfers/CDs

**19,787.53****0.00****Subtotal****0.00****19,787.53**

Less: Payments to Debtors

**0.00****NET Receipts / Disbursements****\$0.00****\$19,787.53**

**Form 2**

Exhibit 9

Page: 3

**Cash Receipts And Disbursements Record****Case No.:** 17-71005-REG**Trustee Name:** Andrew M. Thaler (522000)**Case Name:** 3801 Broadway Corp. dba Las Margari**Bank Name:** United Bank**Taxpayer ID #:** \*\*\_\*\*\*4899**Account #:** \*\*\*\*\*2368 Checking Account**For Period Ending:** 06/07/2018**Blanket Bond (per case limit):** \$44,643,604.00**Separate Bond (if applicable):** N/A

Net Receipts:	\$20,000.00
Plus Gross Adjustments:	\$0.00
Less Payments to Debtor:	\$0.00
Less Other Noncompensable Items:	\$0.00
Net Estate:	\$20,000.00

**TOTAL - ALL ACCOUNTS**

	<b>NET DEPOSITS</b>	<b>NET DISBURSEMENTS</b>	<b>ACCOUNT BALANCES</b>
*****7775 Checking	\$20,000.00	\$212.47	\$0.00
*****2368 Checking Account	\$0.00	\$19,787.53	\$0.00
	<b>\$20,000.00</b>	<b>\$20,000.00</b>	<b>\$0.00</b>